

**LYNDEN TOWNSHIP BOARD
MONTHLY MEETING IN PERSON
October 3, 2022**

Those present at the Lynden Township Hall were Supervisors Dave Johnson, Dennis Niemi and Tom Plaggerman, Clerk Jenny Schmidt and Treasurer Jean Schermer. James Kantor, Planning Administrator, was also present via zoom. Johnson called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

Agenda: Johnson asked if there were any additions to the agenda from the Board or public. The following item was added: SCORE Grant Reimbursement Report. Plaggerman made a motion to approve the agenda with the additions, seconded by Niemi, all in favor, motion passed.

Board Meeting Minutes: The September 6, 2022, regular Twp. Board minutes were reviewed for approval. Johnson made a motion to approve meeting minutes, seconded by Niemi, all in favor, motion passed.

Treasurer's report: The report prepared by Treasurer Schermer was reviewed. Receipts totaled \$2,275.31; Disbursements totaled \$19,063.75; Ending Balance \$620,707.87, which includes \$198,553.47 of ARPA Funds. Johnson made a motion to accept the Sept treasurer's report and authorize the board to sign the CTAS forms including the Claims list, Net pay account distribution, and cash control statements; motion seconded by Plaggerman, all in favor, motion passed.

James Froelich Administrative Split 21151 Franklin Rd PID #19.10484.0000: Froehlich owns 2 properties adjacent to each other and is requesting a 100 foot line adjustment. The legal descriptions have been corrected with this survey. The Planning Commission reviewed the request on Sept 15 and recommend approval. Johnson made a motion to accept the proposed Certificate of Compliance with Twp. ordinances 7 and 8, notwithstanding any errors or omissions on the legal descriptions as provided by the applicant and to authorize the Chair and Clerk to execute the document, seconded by Niemi, all in favor, motion passed. The \$325 review fee has been paid.

JK Landscape Jerry Konz PID #19.10220.0010/19.10748.0128/19.10748.0117: The 3 Parcels have been consolidated with a new PID # 19.10748.0130. An inquiry in re vacating an easement was received today. Johnson will follow up. Table to November meeting.

Dirksen, LLC 2340 197th Str E screening PID #19.10674.0403: Plaggerman reviewed the site and confirmed the east berm is sufficient. The west side of the property is industrial without screening.

Unfinished home Stephen Hommer 254 Woods Edge Rd PID #19.11027.0000: Administrative Citations 2022-01 and 2022-02 were issued on Sept 20, 2022 with fines totaling \$5,800 and a payment deadline of October 3, 2022. After discussions with the owners, Johnson makes a motion to propose a settlement agreement with conditions and to reduce the fine to \$900.00 in re the Administrative Citations, seconded by Niemi, all in favor, motion passed. The Settlement Agreement was executed and the \$900 fine paid.

Kim Norlien sprinkler heads in right-of-way 20171 Lake Maria Rd PID #19.10543.0000: The notice of Lynden Township Ordinance #10 Administrative Code Enforcement Notice was issued to Norlien on Sept 19, 2022, giving a deadline of October 15 to comply. Norlien did not appear today. Johnson made a motion to reaffirm the Administrative Notice, seconded by Niemi, all in favor, motion passed.

Dennis LacQuay Driveway 264 Elderberry Rd PID#19.11054.0006: Dennis LacQuay and his Attorney Tyler Adams presented ariel maps from 2005-2021 and a letter from DJB Construction in support of the request to recognize the pre-existing 3 points of access, specifically the non-conformity of the elongated RV pad. They wish to renovate what is already there, not add a new driveway, claiming this was not a driveway but an extension of the RV pad. The owner's intent would be to store the RV on this pad. The RV 5th wheel along with a trailer totals 65 feet long. Johnson indicated the township is the road authority with a limit of 2 driveways and a variance would be needed to differ from that. Niemi stated variances are for hardships.

SEH 5 Year Road Plan Written Quote: Couri has responded with his recommendations. Niemi will contact other firms. Tabled until November meeting.

American Rescue Plan Act (ARPA) Projects: Total funds received to date \$226,869.93. \$198,553.47 remaining.

- Town Hall lighting rebate has been received from J&P Lighting project. Rebate pending from Stearns Electric.
- Town Hall foundation repair: Niemi received a bid from Concrete Concepts and presented it to the Board. He is meeting with another contractor October 4 for an additional quote.

Future Purchase of Land for Township use: Supervisor Niemi heard back from the Administrator for the City of St. Cloud about purchasing land for township use. The Mayor is in support of selling a six acre parcel to the township. Johnson made a motion to authorize Niemi to move forward with a draft purchase agreement and other processes that are underway, with the advice and consent of Twp Attorney Mike Couri, seconded by Plaggerman, all in favor, motion passed.

Planning Commission Recommendations re: Preservation of Road Right of Way: The Planning Commission recommends this should be placed in the subdivision ordinance. Johnson will contact Couri for examples and a template.

Planning Commission Review of Solar Energy Systems and Accessory Application Process: The Planning Commission recommends giving the process back to Stearns County. Reference 2 F of the MOU. Tabled to November.

Midco Internet: Midco internet service to townhall was installed on September 29th, 2022.

Digital Nomads Internet – Cancellation: James Kantor cancelled this service on Sept 30, 2022.

Katheryn Lange – 21832 Co Rd 44 PID #1919.10515.0002: Lange requests she be allowed to place a building on her 35 acre parcel while her non-building conveyance dispute with Stearns Co is pending. Lange says she has no administrative split in process in re this property and that feedlot setbacks originally factored in house. The building is 24x32 and would temporarily sit on blocks

but eventually would become her permanent home with a cement slab. Electric, septic and well are finished. Kantor suggests that a bond be required if the Board is inclined to allow this. Johnson concurs with Couri's advice against this and does not agree to this. Niemi made a motion to allow Lange to move the building on to the property with a sunset of July 1, 2023. If the dispute with Stearns Co is not complete by July 1, 2023 the building must be removed. Lange is to provide an update to the Board on April 1, 2023. The motion was seconded by Plaggerman, two in favor, Johnson opposed, motion passed. Lange is to contact both SCES and Nancy Scott in re any permits that are needed.

Barry Belknap: Belknap is running for Stearns Co Commissioner in District 3 and addressed the board.

Notice of Interest Hazard Mitigation Plan: Johnson made a motion to authorize Johnson, in conjunction with Stearns Co Emergency Mgmt, to pursue 2 projects identified in the hazard mitigation plan, those being sirens and dry hydrants, and to submit the Notice of Intent forms, seconded by Niemi, all in favor, motion passed. Johnson has already contacted the DNR which has preliminary approval about getting a de-watering permit out of Long Lake.

State Park Road Account (SPRA) Solicitation: Johnson made a motion to authorize Johnson to submit to the DNR a project to redo Eaglewood Rd, from Co Rd 44 down to the landing, which is 6/10 of a mile, and to place an asphalt surface on the landing, seconded by Niemi, all in favor, motion passed. Johnson expects this to be reviewed in the next week, the application is due Nov. 4, 2022.

Revisions to Ordinance #12 on Insurance request for Right of Way Permits: Johnson made a motion to amend Ordinance #12 and update the current language in re insurance requirements relating to non homeowners for ROW permits, seconded by Niemi, all in favor, motion passed.

Request for Proposals for funding from Stearns Co AIS Preventions Funds: Information reviewed but has a short window to apply as was received 9-23-22 and a deadline of 10-24-22.

2022 Road Mileage Certification: Lynden certified 40.1 miles of road.

2022 Annual Township Noxious Weed Control Report: Lynden certified 16 inspections and 2 landowner contacts.

Planning Commission Appointment: Kantor will invite Helget to our next monthly meeting.

Fall Road Tour Minutes and Assignments: Johnson made a motion to approve the Sept 20 Road Tour minutes, seconded by Niemi, all in favor, motion passed. Johnson will cover signs, 15700 13 Av S building permit, and with Clerk, 295 Elderberry ROW violation; Niemi will cover roads, brushing and Birchwood stripping; Plaggerman will cover garbage.

SCORE Grant Reimbursement: On Sept 27, 2022, Johnson submitted for reimbursement a request in the amount of \$5,198.00 to off-set the costs of spring cleanup.

Building permits: 7 permits were reviewed from Building Inspector Nancy Scott. There are a total of 57 building permits in 2022; 2 new single family houses and overall 2022 valuation increase of permits of \$1,796,000.

Driveway Permits: None

Right of Way Work Permits: 2 Frontier issued, permit fees have been received, but neither are in compliance with permits as issued; 284 Craigway either needs to be abandoned in place or removed and Fulton Cir line is not complete in ROW. Johnson made a motion to reaffirm the \$900 penalty to Frontier for actions or inactions by the sub-contractor, seconded by Plaggerman, all in favor, motion passed.

Correspondence: was reviewed which included:

- Certificate of Liability Insurance - Allspec
- SCES Newsletter
- MATIT Policy Extension
- MAT Training for LBEA and Clerk/Treasurer Year end. Johnson makes a motion to authorize clerk and treasurer to attend, pay any registration fees, and be reimbursed at the hourly rate and mileage, seconded by Niemi, all in favor, motion passed.
- Ntc PH NSP/Exel in re increase of natural gas rates
- City of Clearwater Resolution 2022-30 Accepting Library Donation
- Johnson LBEA Certification on 9-27-2022

Review Bills and Claims for Approval

- Plaggerman made a motion to approve Johnson payroll & expense claim, seconded by Niemi, 2 in favor, Johnson abstained, motion passed.
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- Johnson made a motion to approve Plaggerman payroll & expense claim, seconded by Niemi, 2 in favor, Plaggerman abstained, motion passed.
- Johnson made a motion to approve all other bills and claims, utilizing check numbers 8389 through 8403, inclusive; motion seconded by Plaggerman, all in favor, motion passed.

Meeting Dates:

- Planning Commission – as needed.
- Monthly Meeting – Monday, November 7, 7:00 PM

Plaggerman made a motion to adjourn the meeting, seconded by Johnson, all in favor, motion passed. Meeting adjourned at 9:08 p.m.

Respectfully submitted,

Jenny Schmidt, Clerk

David L. Johnson, Chair